

REMARKS

For consistency, the third full paragraph of page 24 and the last paragraph of page 3 have been amended to refer to "802.xx" instead of "802.x." This amendment is made for consistency throughout the specification. For example, the last line of page 5 refers to "an 802.xx wireless local area network air interface protocol"; the third line of the first full paragraph on page 7 of the specification states "For example, the handsets include logic to communicate according to a WLAN air interface protocol (such as 802.xx) . . ."; and the claims recite "802.xx." No new matter has been added.

Claims 1, 3-19 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention.

In item a., the Examiner states that there is no antecedent basis for the limitation "a WLAN 802.xx spectrum" in line 8 of claim 1. The Examiner states that this limitation is preceded by "an 802.xx WLAN" in line 3. First applicants note that line 3 of claim 1 recites "an 802.xx WLAN air interface protocol." Applicants disagree that there is a lack of antecedent basis for "a WLAN 802.xx spectrum." Applicants correctly introduce claim element "WLAN 802.xx spectrum" with the article "a" in line 3 because this is the first introduction of claim element "WLAN 802.xx spectrum" in the claims. "An 802.xx WLAN air interface protocol" included in line 3 of the preamble is different than "a WLAN 802.xx spectrum" introduced in line 8 of claim 1. Similarly, claim element "802.xx WLAN" recited in line 10 of claim 1 is correctly introduced with "an" because it is the first introduction of the element in the claim. "802.xx WLAN" is different from both "WLAN 802.xx spectrum" and "802.xx WLAN air interface protocol." The arguments above apply equally to the antecedent basis rejections for claims 6, 7, 19 and 22.

In item b., the Examiner states that claims 1, 3-9, 13, 19 and 22 recite the limitation "802.xx" and that these claims are indefinite because it is not clear as to the indefinite meaning of "xx" appended to "802." Applicants maintain that it is commonly understood in the industry that "802.xx" refers to a set of Network standards developed by the Institute of Electrical and Electronics Engineers

(IEEE). Additionally, the third full paragraph of Applicants' specification states "The above discussion (description of the invention) and the following claims at times refer to specific WLAN standards, such as 802.11." This is typically done to use a very specific example. In many instances, reference is made to 802.xx. The designation "xx" is used to indicate a wider applicability, i.e., to any of the 802 WLAN standards. Applicants submit that the "xx" appended to "802" is not vague, but rather specific in that it refers to a set of standards in the IEEE 802 set.

In view of the foregoing remarks, Applicant submits that independent claims 1, 3, 19 and 22 are in condition for allowance. Applicants further submit that claims 4-18 are allowable by virtue of their dependency on independent claims 1 and 3. Applicants request the reconsideration and reexamination of this application and the timely allowance of the pending claims. Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,
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